

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT **APPLICATION FOR NEW CABLE TELEVISION FRANCHISE**

A. General Information Regarding the Application Process

1. All applications received by the Lexington-Fayette Urban County Government (“LFUCG”) from any applicant for new cable television franchises (“Applicant”) will become the sole property of the LFUCG. The LFUCG reserves the right to reject any and all applications and waive informalities, and/or technicalities where the best interest of the LFUCG may be served.
2. All questions regarding the meaning or intent of the application documents shall be submitted to the LFUCG in writing. Replies will be mailed or delivered to all parties recorded by the LFUCG as having received the application documents. The LFUCG reserves the right to make extensions of time for receiving applications as it deems necessary. Questions received less than fourteen (14) days prior to the date for the opening of applications will not be answered.
3. Applications may be modified at any time prior to the opening of the applications, provided that any modifications must be duly executed in the manner that the Applicant’s application must be executed.
4. All Applicants that are granted cable television franchises shall be required to obtain and maintain any necessary and lawful permit, license certification, grant, registration or any other authorization required by any appropriate governmental entity
5. Before submitting its application, each Applicant must (i) examine the Cable Television Franchise Ordinance (“Ordinance”) and the application documents thoroughly, (ii) familiarize itself with local conditions that may in any manner affect performance under the franchise, and (iii) familiarize itself with federal, state and local laws, ordinances, rules and regulations affecting performance under a cable television franchise.
6. The LFUCG may make such investigations as it deems necessary to determine the ability of the Applicant to perform under the franchise, and the LFUCG reserves the right to require such supplementary, additional or other information that it deems necessary. The LFUCG reserves the right to reject any application if the evidence submitted by, or investigation of, such Applicant fails to satisfy the LFUCG that such Applicant is properly qualified to carry out the obligations of a cable television franchise and to complete the work contemplated therein. Conditional applications will not be accepted.
7. Information submitted on applications is a public record under the Kentucky Open Records Act, Sections 61.870, et. seq. of the Kentucky Revised Statutes. Under that law, certain kinds of proprietary and trade information are exempt from disclosure. Should an

Applicant believe that any information required to be submitted involves confidential proprietary or trade information, the Applicant should contact LFUCG before the application is filed and request a determination as to whether the information is covered by the exemption. If no such request is made prior to the filing of the application, the Applicant will be deemed to have waived any entitlement to confidentiality under the Open Records Act.

B. Applicant Information

ApplicantName: _____
(Complete Legal Name as Registered with the Kentucky Secretary of State)

Address: _____

City: _____ State: _____ Zip Code: _____

E-mail Address: _____

Phone Number: _____

Fax Number _____

C. Local Representative Information

Name: _____

Address: _____

City: _____ State: _____ ZipCode: _____

E-mail Address: _____

Phone Number: _____

Fax Number: _____

D. Emergency Contact Information

Name: _____

Address: _____

City: _____ State: _____ ZipCode: _____

E-mail Address: _____

Phone Number: _____

Fax Number: _____

E. Description of Proposed System Design

The Applicant must submit a technical description of the type of system proposed by the Applicant and the Applicant's plan for the installation and construction of the system. The technical description shall include the following details and be submitted and approved by the LFUCG before construction:

1. Justification of the site selected, including:
 - a. listing of television stations carried on the system
 - b. location of microwave terminals or headend
 - c. location of local origination centers
 - d. location of antenna site
 - e. distance from antenna site to farthest area served by the system
 - f. height of tower
 - g. height of antenna site in relation to average terrain
 - h. accessibility of antenna site all year round
 - i. local construction restrictions on tower
 - j. power availability for antenna site
 - k. location of antenna arrays on the tower
 - l. direction of desired signal sources
 - m. analysis of potential sources of interference in the nearby environment.
2. System information, including:
 - a. statement of adherence to construction standards
 - b. drawings of the system
 - c. description of local origination equipment
 - d. identification of trunk and feeder cables

F. Description of All Types of Service Proposed

G. Disclosure of Financial Information & Ownership of the Applicant

1. Applicant, including shareholders and parties with a controlling interest in the Applicant, shall provide access to all agreements and understandings, with any person, firm, group, association or corporation with respect to the ownership of this franchise and the proposed Cable System. This shall include, but not be limited to, any agreements between local Applicant and national companies with respect to the ownership of this franchise.

2. Applicant, including shareholders and parties with a controlling interest in the Applicant, shall submit all requested information as provided by the terms of the Ordinance or the application documents. The requested information must be complete and verified as true by the Applicant.
3. Applicant, including parties with a controlling interest in the Applicant, shall provide access to public information with respect to the numbers of shares of stock, and the holders thereof.
4. Applicant, including shareholders and parties with a controlling interest in the Applicant, shall disclose any information required by the application documents regarding other Cable Systems in which they hold an interest of any nature, including, but not limited to the following:
 - a. locations of all other franchises and the dates of award for each location;
 - b. estimated construction costs and estimated completion dates for each system where construction is incomplete as of the date of application;
 - c. estimated number of miles of construction and number of miles completed in each system as of the date of this application; and
 - d. the date for completion of construction as promised in the application for each system.
5. Applicant, including shareholders and parties with a controlling interest in the Applicant, shall disclose any information required by the application documents regarding pending applications for other Cable Systems, including but not limited to the following:
 - a. location of other franchise applications and date of application for each system;
 - b. estimated dates of franchise awards; and
 - c. estimated number of miles of construction; and estimated construction costs.

H. Additional Requirements - Please submit the following:

1. Copy of all required insurance policies and certificates with a signed statement from LFUCG's Insurance and Risk Coordinator that such policies and certificates are acceptable to LFUCG.
2. Supplementary, additional or other information that the Applicant deems reasonable for consideration.

I. CERTIFICATION REQUIRED

Applicant hereby certifies that the information provided by the Applicant is true and correct and that the person signing on behalf of the applicant is authorized to do so. Applicant further acknowledges and certifies that is shall be responsible to certify to LFUCG any

material changes to the information provided in the completed application during the term of any cable television franchise. Additionally, the Applicant agrees to be bound by all provisions of the Ordinance and agrees to obtain all permits and authorizations prior to constructing, installing or operating a cable television system.

Complete Legal Name of Applicant: _____

By: _____

Title: _____

Date: _____